



Guide to Insurance for Off-Road and Recreational Vehicles

Commonwealth of Massachusetts

Division of Insurance

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How to Use This Guide

This guide is intended to describe insurance for off-road recreational vehicles, such as snowmobiles and all-terrain vehicles, as well as the off-road use of any cars, trucks or motorcycles that are not covered under private passenger automobile and are not used for commercial purposes. If you are interested in insurance for commercial operation of recreational vehicles, contact your insurance producer to discuss other insurance, including inland marine insurance.

Your automobile policy may provide coverage for your cars, trucks or motorcycles that have been registered with the Registry of Motor Vehicles, as well as trailers attached to those vehicles, but the standard policy does not cover off-road recreational vehicles such as unregistered trail bikes, all-terrain vehicles, dune buggies, go-carts, and snowmobiles. Your home insurance policy may provide limited coverage for small vehicles such as riding mowers, golf carts or wheelchairs, but does not provide coverage for off-road recreational vehicles. Snowmobiles and off-road bikes are not specifically covered under either your automobile or home insurance and you may need coverage in a special policy or as an endorsement to existing coverage you may have under your automobile or home insurance.

As you consider any insurance, you should be aware that an insurance policy is a legal contract describing the promise an insurance company gives you in return for your payment of regular premiums. **Insurance is not a bank account in which your premiums are stored; it is a legal promise that an insurance company will pay for the costs of certain identified losses that may occur during the policy period.** The insurance you buy to cover your off-road recreational vehicle is protection for a specific period or term of time.

To truly understand a particular type of coverage, you should take the time to learn what is and what is not covered. The insurance company offering the coverage or its producer should be able to help you with an analysis of the appropriate coverage for your situation, but it is up to you to choose the right policy to protect your own assets. **It is important that you read your coverage carefully to determine your exact coverage, as well as your rights and responsibilities under the coverage.**

There are a number of appendices at the end of the guide, including a glossary of commonly used terms such as those that appear in bold throughout the guide (Appendix A) and a record of any recreational vehicle insurance policy that you may purchase (Appendix B).

Disclaimer

This guide is not a legal analysis of your rights under any insurance policy or government program. Your insurance policy, program rules, Massachusetts law, federal law and court decisions establish your rights. You may want to consult an attorney for legal guidance about your specific rights.

This guide includes information, documents, and materials (collectively, the "Contents") that are subject to change without notice. The Massachusetts Division of Insurance cannot guarantee that the contents of this guide are up-to-date or complete and assumes no responsibility for errors or omissions in any Contents, including Contents that are referenced by or linked (by hypertext links) to any other Contents or third party websites. The Massachusetts Division of Insurance makes no representations or warranties of any kind whatsoever for the Contents or for any products or services or hypertext links.

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Guide to Insurance for Off-Road Recreational Vehicles

SECTION I: RISKS TO YOUR OFF-ROAD RECREATIONAL VEHICLE

What Is a Motor Vehicle? Does It Differ From Off-Road Recreational Vehicles?

Under Massachusetts law (M.G.L. c. 90), motor vehicles are defined as “vehicles constructed and designed for propulsion by power other than muscular power.” All land-based motor vehicles that are primarily used on public roads are required to be registered with the Massachusetts Registry of Motor Vehicles and by law the owners of such motor vehicles are required to have compulsory automobile liability coverage. For more information on the registration requirements for such vehicles, you may wish to visit the Registry of Motor Vehicles’ website at www.mass.gov/rmv. For information on the compulsory automobile insurance requirements, you may wish to visit the Division of Insurance website section on automobile insurance coverage at www.mass.gov/doi/Consumer/CSS_auto.html.

What Is an Off-Road Recreational Vehicle?

Under Massachusetts law (M.G.L. c. 90B), an off-road recreational vehicle is a “motor vehicle designed or modified for use over unimproved terrain if used for recreation or pleasure off a public way...and all legally registered motor vehicles when used off a [public] way,...[except for those] used for agriculture, forestry, lumbering or construction.” Recreational vehicles are not permitted to be operated on any state, county, city or town road or public way or highway except in case of emergency or as permitted by state law or regulation.

Certain motorized vehicles, including snowmobiles, boats and all-terrain vehicles need to be registered with the Massachusetts Division of Law Enforcement’s Registration and Titling Bureau’s website at www.mass.gov/dfwele/dle. This guide is designed to discuss insurance for land-based off-road recreational vehicles. If you would like information on insurance for boats, please review the Division of Insurance’s “Guide to Insurance for Your Boat and Steps to Reduce Your Insurance Cost” at www.mass.gov/doi/Consumer/CSS_auto.html.

It should also be noted that although not subject to registration with the Massachusetts Registry of Motor Vehicles, motor-powered aircraft, motor-powered wheelchairs and motor vehicles that are primarily used on your property, including riding mowers, golf carts or similar vehicles, are not considered to be off-road recreational vehicles under state law.

Why Buy Insurance for My Off-Road Recreational Vehicle?

You may have paid a large sum of money to own your off-road recreational vehicle and you will want to protect against loss due to an unexpected event or accident. In addition, there is also the risk to your assets if you should have an at-fault accident and become liable for bodily injury or property damage to another party.

What Could Happen to My Off-Road Recreational Vehicle?

Just about anything. You could get into an accident and harm another person or damage someone else's personal property. Natural disasters, including hurricanes or fires, could destroy your off-road recreational vehicle. Your off-road recreational vehicle could also be susceptible to electrical fires, burglaries or lawsuits filed by other parties claiming negligence in the use of your off-road recreational vehicle.

Insurance is intended to address the costs of unexpected damages beyond your reasonable control. It is not intended to pay the expected repairs you need to maintain your off-road recreational vehicle such as by replacing worn out brakes. By purchasing the right insurance policy, you may be able to protect yourself from the financial costs of unforeseen losses.

Am I Required to Buy Insurance for My Off-Road Recreational Vehicle?

There is no law requiring anyone to purchase any insurance on your off-road recreational vehicle, but it is prudent to consider this coverage to protect your investment in your off-road recreational vehicle or to protect you from any costs you may be liable for from the use of your vehicle. If you need a loan to help pay for your off-road recreational vehicle, your lender or bank may not loan you money unless you buy and maintain insurance on your off-road recreational vehicle. If you drop coverage or stop paying for it, some loan agreements permit the lender to accelerate the loan and demand immediate payment of the entire loan balance.

You should be aware that even if your lender requires you to have insurance, the lender cannot require you to obtain the coverage from a particular insurer and cannot require you to insure your off-road recreational vehicle for more than its value. (The lender may, however, require you to maintain liability insurance as well.)

SECTION II: INSURANCE FOR OFF-ROAD RECREATIONAL VEHICLES

How Does an Insurance Policy Work?

An insurance policy is a legal contract between you and an insurance company. You pay a premium to the company in exchange for the insurance company's promise to pay for your covered losses. There is an expectation of good faith, *i.e.*, that you and the insurance company will be fair and honest in your dealings with one another.

Insurance coverage for off-road recreational vehicles is basically the same as other insurance, except that there are a number of different ways to insure them:

- Obtaining coverage through a stand-alone insurance policy for specific types of off-road recreational vehicles, such as snowmobile insurance;
- Obtaining coverage as an endorsement to an already issued policy, including for example, private passenger automobile coverage; and,
- Obtaining coverage as part of an all-encompassing personal inland marine policy.

In all cases, you should work with your insurance producer to search for the coverage that is designed for your particular needs.

How Do I Obtain Coverage for an Off-Road Recreational Vehicle? Can I Be Turned Down?

You should know that insurance for your off-road recreational vehicle is offered in a competitive market. You can shop around for coverage from agents and companies available in your area. Please note that an insurance company can decide to turn down your application for coverage.

In order to obtain an insurance policy for your off-road recreational vehicle, you must fill out an application to help the insurance company learn about you, your assets, and the risks the insurance company would be responsible for if they insure you. After reviewing the information, the insurance company will use its own standards, known as underwriting guidelines, to decide whether to issue you a policy, and the rate it would charge for the coverage.

If an insurer agrees to consider your application, the producer or company may issue you an "insurance binder", a legally binding statement indicating that you have immediate protection for a specified period of time during which the company will decide whether to issue you a policy. If the company formally accepts your application, it will issue a policy, usually covering a one year period. If your application is rejected, you will need to apply to another insurer.

Can an Insurer Ever Cancel or Nonrenew My Coverage?

Yes, an insurer can cancel or nonrenew your coverage. You should read your policy carefully to determine the conditions for cancellation and nonrenewal. Companies can cancel or nonrenew coverage, but only according to the conditions that are spelled out within the policy. If a company ever intends to cancel or nonrenew coverage, it is to give you advanced written notice of cancellation or nonrenewal and indicate the reasons for cancellation or nonrenewal.

How Do I Find Companies that May Sell Me Insurance?

Licensed Insurance Companies:

There are many insurers licensed by the Division of Insurance that sell property and casualty policies in the Commonwealth of Massachusetts. In order to be licensed, an insurer must demonstrate it meets the state's minimum financial requirements to pay claims now and in the future. It must also agree to participate in the state's guaranty fund designed to protect policyholders if any licensed property and casualty insurance company is financially unable to pay its claims. You can check <http://www.mass.gov/?pageID=ocatic&L=3&L0=Home&L1=Consumer&L2=Insurance&sid=Eoc> for a list of companies in your area.

When considering a company, you may want to contact your neighbors, relatives, and friends for recommendations regarding their insurance company's service and price. In addition, for a fee, you can learn more about the financial strength of a particular insurance company by contacting any of the following insurance rating services:

A.M. Best Company	(908) 439-2200	http://www.ambest.com
Duff & Phelps, LLC	(212) 450-2800	http://www.duffllc.com
Fitch Ratings	(212) 908-0500	http://www.fitchibca.com
Moody's Investors Services, Inc.	(212) 553-1658	http://www.moodys.com
Standard & Poor's	(877) 299-2569	http://www.standardandpoors.com
Weiss Research Inc.	(800) 289-9222	http://www.weissratings.com

What Type of Coverage Do I Need to Protect My Off-Road Recreational Vehicle?

You should consider a property coverage limit that is high enough to help you replace or repair your off-road recreational vehicle at today's labor and material costs. This cost may be very different from the market value of your off-road recreational vehicle.

In addition to choosing the type and overall limits to your coverage, you will choose a deductible level. This level will be the amount you will be expected to pay for covered losses before the insurer pays for claims. The higher the deductible that you choose – and greater proportion of low-dollar claims that are yours and not the insurer's responsibility – the lower the premium that you will have to pay.

Basic Coverages Available

There are differing packages of insurance that may be offered to protect your off-road recreational vehicle. It is important to know which risks a policy covers and which risks are excluded. Each policy protects against a specific number of perils (events that cause damage to property), including, for example, collision, fire, windstorm, theft, lightning or vandalism.

In addition to knowing the risks or perils covered, it is important to consider the expenses that are covered in the event of a covered peril. Each policy usually contains coverage for the following:

- Property damage to your off-road recreational vehicle
- Personal liability lawsuits
- Limited medical payments for certain accidents arising out of your use of the off-road recreational vehicle

1) Property Damage

Typically an off-road recreational vehicle owner's policy includes coverage for damage to the off-road recreational vehicle and its parts, as well as the equipment used to transport the off-road recreational vehicle. The coverage also can include equipment that is permanently attached to the off-road recreational vehicle, including for example, fuel tanks, motors, horns, lights, or two-way radios.

Typically, such a policy does not include coverage for personal property, including clothing, food, jewelry, or portable gear. It also does not typically provide any coverage for damage to your vehicle when it is operating in an official race or speed contest.

2) Personal Liability Coverage

Most off-road recreational vehicle insurance policies include personal liability coverage that protects you against any claim or lawsuit alleging bodily injury or property damage to others arising out of your ownership, maintenance or use of the off-road recreational vehicle. Since the personal liability coverage limits differ among companies and a company may add certain company-specific exclusions, you should read your policy carefully. You should also check to determine what limit is appropriate for you.

3) Medical Payments Coverage

Medical payments coverage pays for any medical expenses incurred by persons not living with you who are accidentally injured while in, upon, boarding or leaving your off-road recreational vehicle. Although the medical payments coverage limit is usually set at a low dollar amount, you may wish to check with your producer or insurance company to determine if the amount of medical payments coverage on your policy is sufficient, or whether a higher limit would be more appropriate for you. [You should know that this is intended for minor injuries; all other injuries caused by you may be insured under the personal liability coverage.]

4) Uninsured Off-Road Recreational Vehicle Owners Coverage

If purchased, this provides coverage for injuries resulting from an accident that is the fault of an uninsured off-road recreational vehicle owner or “hit and run” operator.

5) Personal Effects Coverage

If purchased, this may provide coverage for your clothing, portable radios or other personal items.

What Is My Off-Road Recreational Vehicle's Value Under An Insurance Policy?

Your off-road recreational vehicle's value can be looked at in three very different ways:

- **Market value** - represents what your property would sell for on the off-road recreational vehicle market.
- **Actual cash value** - represents what your off-road recreational vehicle is worth today after adjusting for the normal wear and tear that may have reduced the value of the off-road recreational vehicle.
- **Replacement cost value** - represents the cost that it may take to replace or repair your off-road recreational vehicle if it were destroyed or damaged.

Each of these may be significantly different than the other and should not be confused in determining the amount of coverage that you may need to repair or rebuild your off-road recreational vehicle. An off-road recreational vehicle that you bought for \$20,000 may actually cost \$30,000 to replace. Some policies will pay for the cost of replacement (either the cost to repair or replace the vehicle); others may offer actual cash value; and others may use an "agreed value" negotiated by both parties when the policy is issued. When considering the limits of your coverage, you should talk with your producer about how much it may cost to replace your off-road recreational vehicle.

If your coverage is for less than the replacement cost, your insurance company is not obligated to pay all the costs of the repairs. In the case of a total loss, the company will pay the lesser of the cost to repair the vehicle or the policy limits. For partial losses, an insurance company may only be obligated to pay a percentage of the loss based the percentage that your policy limit would pay toward the cost to replace your off-road recreational vehicle.

What May Affect the Cost of Insurance for My Off-Road Recreational Vehicle?

Amount of Coverage: The amount of coverage you buy will affect the price you pay.

Deductible Amount: This is the amount that you would choose under the policy that you would pay for a covered loss before the insurance company will pay any losses. The higher the deductible, the lower the price for the insured. You should keep in mind, however, that deductibles apply separately to each loss that may occur throughout the year.

Age and Condition of Off-Road Recreational Vehicle: New or remodeled off-road recreational vehicles may have certain safety features to reduce risk while older off-road recreational vehicles may be subject to more damage in case of an accidental event.

History of Accidents: If you have a history of off-road recreational vehicle accidents, this may be used as a factor in setting your rates, based on the likelihood of your having future accidents.

Discounts: Most insurance companies offer a variety of discounts, including some of the following based upon projected reduced risks for certain features including:

- Multi-policy discounts for covering off-road recreational vehicle insurance and other insurance with same carrier;
- Safety equipment discounts for equipment that may be part of the vehicle
- Training discounts for taking safety courses sponsored by snowmobiling or off-road vehicle associations

How Much Will It Cost to Insure My Off-Road Recreational Vehicle?

When you shop for insurance for your off-road recreational vehicle, it is useful to obtain premium quotations to compare different companies' products. However, when you ask for price quotations, it is important that you give the same information to each producer or company.

To give you an accurate quote, the producer or company will usually ask for the following:

- A description of your off-road recreational vehicle;
- If you have security devices;
- A picture of your off-road recreational vehicle;
- The coverages and limits you want; and
- Any prior property or liability losses.

How Do Insurers Market Insurance Policies?

Insurance companies generally use one of three methods to market their product: direct marketing, independent producers, or exclusive producers. The type of marketing method may or may not meet your needs, depending on the type of services offered. Therefore, you should be aware of each of the three methods and may want to consider these when you decide to buy insurance.

Some insurance companies use **direct marketers** who sell insurance through the mail and by telephone. Some insurance companies sell coverage through producers that only represent their company. These companies call their producers an **exclusive agency force**.

If you decide to call producers for prices, ask them how many companies they represent. **Independent producers** represent several companies; therefore, you can get quotes for more than one company from just one producer. Many consumers consider this an advantage.

SECTION III: LOSSES

How Can I Prevent Possible Losses?

There are many state laws and regulations that apply to the operation of snowmobiles and off-road recreational vehicles. Persons who drive off-road recreational vehicles should be old enough and properly trained in operating the vehicles safely. In addition, there are laws that are designed to protect the rights of property owners on whose property persons may wish to ride their off-road recreational vehicle. It is important that you become familiar with these regulations and safety recommendations through the Massachusetts Environmental Police's Division of Law Enforcement at www.mass.gov/dfwele/dle or through materials available through local off-road recreational vehicle associations, such as the Snowmobile Association of Massachusetts at <http://www.sledmass.com>

In addition, to be safe and minimize accidents, you should keep your vehicle well maintained and know your and your off-road recreational vehicle's capabilities and not push beyond them. You should have a map of the area in which you intend to ride and understand the hazards that you may meet and understand how your vehicle can respond to the hazards. You should follow safe riding rules that are common to automobile riding, including the use of turning signals, maintaining safe distances between other off-road recreational vehicles and driving more cautiously at night or in inclement weather. Most importantly, wear appropriate clothes for protection and to stay alert and do not ride while intoxicated or otherwise impaired.

How Can I Reduce the Premium for My Off-Road Recreational Vehicle?

Shop Around: Prices can vary greatly. However, don't consider price alone since service is also important. Quality service may cost more, but it also may be worth it. Be sure to talk to your friends.

Raise Your Deductible: Deductibles are the amounts you may pay out of your own pocket for a loss before the insurance company pays. Although choosing a high deductible may decrease the annual premium cost, you should consider your finances before increasing the deductible beyond what you can live with.

Shop for Discounts: Some companies may offer a discount on your premium if you have two or more policies with them.

Include Insurance Costs in Your Budget: Before you buy an off-road recreational vehicle, think about how much it will cost to insure. Some insurers may offer discounts on new or used off-road recreational vehicles because they are likely to be in better condition.

Improve Your Security: Some companies offer discounts for security systems

What Should I Do If Anything Happens to My Off-Road Recreational Vehicle?

Most off-road recreational vehicle insurance policies generally require you do the following things:

- Give immediate notice of a possible claim to your insurance company or licensed producer. If the loss is a theft, notify the police.
- Protect your property from further loss or damage.
- Give your insurance producer, claims adjuster and/or insurance company a copy of a list of all damaged, destroyed or stolen property (being sure to keep a copy for yourself). In case of theft, be sure to give another copy to the police.
- Show the damaged property to your insurance producer, claims adjuster and/or insurance company, if asked. Do not dispose of any damaged property until your producer, claims adjuster and/or company says you can.

What If I Have Questions or Problems with the Insurance?

If you are having a problem with your insurance, you should first check with your licensed producer or with the company that sold you the policy. If you feel that the amount of money offered by your insurance company to pay for a loss is not fair or there are other insurer practices that seem unfair or deceptive, there are several alternative courses of action that you may want to consider:

- You can file a complaint with the Massachusetts Division of Insurance during normal business hours at 1-617-521-7794 or can download a complaint from the Division's internet address - www.state.ma.us/doi - and then mail or fax the complaint to the Division;
- You can file a claim in small claims court; or
- You can hire a lawyer to consult with and represent your interests in court.

When completing a complaint form or meeting with a lawyer, make sure you have included detailed information about your insurance problem, including the correct name of the insurance company, a complete and accurate description of any company actions to respond to your complaint, a claim number, if you have one, and copies of any relevant documents or correspondence relating to your claim.

Appendix A – Glossary of Common Insurance Terms

Appraisal - A review of a property claim to determine the value of a particular item, or the value of the loss to damaged property.

Cancellation - Termination of policy during the policy term.

Claim - A request for reimbursement for a loss covered by a policy. For example, a claim for items stolen from the policyholder's recreational vehicle.

Deductible - An amount that an individual must pay before the insurer pays for covered losses.

Depreciation - A decrease in the value of a property due to wear and tear or obsolescence.

Endorsement - Addition to the insurance policy that changes or adds to the coverage of the insurance policy.

Independent Producer - An individual licensed to sell insurance who represents more than one insurer.

Market Value - A term that describes what the current value of your recreational vehicle would be if you were to sell it. This amount is not involved in determining what amounts to purchase under a policy.

Non-Renew - Insurance company action to not extend coverage beyond the current policy term. Companies may only nonrenew coverage after making appropriate notices to policyholders.

Personal Property - All tangible property not permanently attached to the recreational vehicle.

Policy - A written contract for insurance between an insurance company and a policyholder.

Premium - The amount of money an insurance company charges, based on a given rate, to provide the coverage described in the policy for a specified period of time, generally one year.

Replacement Cost Coverage - Coverage for the cost to completely replace your off-road recreational vehicle.

Underwriting - The process of examining, accepting or rejecting insurance risks, and classifying those selected, in order to charge the proper premium for each.

Appendix B – Facts to Keep Handy About Your Own Policy

For use after you buy an insurance policy. Complete this form and put it with your important papers. You may want to make a copy for a friend or a relative.

1. Insurance Policy Date

Policy Number _____

Date Purchased _____

Premium _____

2. Insurance Company Information

Name of Company _____

Address _____

Phone Number _____

3. Information about Insurance Producer

Producer's
Name _____

Phone Number _____

Address _____

4. Type of Insurance Policy

5. How much is the deductible before benefits begin? _____

6. How do I file a claim? (Check all that apply)

Contact my licensed producer

Contact the company

7. How often do I pay premiums? ____ Annually ____ Semi-annually ____ Other

8. Are my premiums deducted from my bank account? ____ Yes ____ No

Name and address of my bank: _____

Bank account number: _____

9. Where do I keep this policy? _____

Other information _____

10. Friend or relative who knows where my policy is: _____

Address _____

Phone number _____

We Can Help!

The Division of Insurance exists to serve you. The Division can be a source of unbiased information and assistance to you, such as verifying if a producer or insurance company is licensed to do business in the Commonwealth or providing answers to many frequently asked or general insurance questions.

If you have a complaint against an insurer, it is always best to contact your insurance company first and try to settle the matter. Most insurance companies have policyholder service offices to handle your questions. However, if you are still not satisfied, contact the Division's Consumer Service Section staff to help with your problem. Although they cannot represent you legally against an insurance company or adjuster, they can make an appropriate investigation into potential violation of insurance laws or regulations based on your complaint.

The Consumer Service Section can be contacted at 617-521-7794, Monday - Friday 8:45 a.m. - 5:00 p.m. or visit the Section on the Division's web site at www.state.ma.us/doi. You may also contact or send in a consumer complaint by writing to the Consumer Service Section at the Commonwealth of Massachusetts Division of Insurance, One South Station, Boston, MA 02110. For your convenience, a consumer complaint form may be printed from the Division's web site.

This consumer's guide should be used for educational purposes only. It is not intended to provide legal advice or opinions regarding coverage under a specific insurance policy or contract; nor should it be construed as an endorsement of any product, service, person or organization mentioned in this guide.

Insurance for your off-road recreational vehicle is an important purchase for many people. Use this brochure as a guide for how to better understand insurance for your off-road recreational vehicle, so you can make decisions that can help lower the cost of your insurance and increase the value you receive.

Although insurance for your off-road recreational vehicle is not required by Massachusetts law, if your vehicle is mortgaged, your lender or bank may require that you buy insurance for your off-road recreational vehicle.